

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

JEFF LOWERY, et al.,

Plaintiffs,

v.

JEFFERSON CO. BD. OF EDUCATION, et al.,

Defendants.

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No. 3:05-CV-570  
(Phillips)

**ORDER**

A motion hearing was held in this case on April 10, 2006. The following action was taken:

1. Defendants' motion for extension of time to file answer [Doc. 9] is **GRANTED**. Defendants shall have an additional **twenty (20) days**, up to and including **May1, 2006** to file their answer.

2. Plaintiffs' motion for default judgment [Doc. 10] is **DENIED AS MOOT**.

3. Defendants' motion to stay discovery [Doc. 11] is **DENIED**, subject to renewal at such time as defendants file a motion raising the issue of qualified immunity. The court will reconsider defendants' motion to stay discovery at that time.

6. This case will be consolidated with Civil Action 3:05-cv-560, *Derrick ("Rabbit") Lowery, et al. v. Marty Euverard, et al.*, for discovery purposes only. The cases will be tried separately.

**IT IS SO ORDERED.**

**ENTER:**

s/ Thomas W. Phillips  
United States District Judge